



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/276,248	03/25/1999	HENRY FOURIE	081862.P123	1857

7590

11/05/2002

BLAKELY SOKOLOFF & ZAFMAN
12400 WILSHIRE BLVD
7TH FLOOR
LOS ANGELES, CA 90025

EXAMINER

PHAN, TRI H

ART UNIT

PAPER NUMBER

2661

DATE MAILED: 11/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/276,248

Applicant(s)

FOURIE ET AL.

Examiner

Tri H. Phan

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-65 is/are pending in the application.
- 4a) Of the above claim(s) 1-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2661

DETAILED ACTION

Response to Amendment/Arguments

1. This Office Action is in response to the Response/Amendment filed on August 20, 2002. Claims 1-22 are now canceled and new claims 23-67 are added. Claims 23-67 are now pending in the application.

Claim Objections

2. Claim 53 is objected to because of the following informalities:

In claim 53, line 5, "said a switch" should be changed to --- said switch ---. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 23-56 and 58-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Janning** (U.S.6,052,448) in view of **Gupta** (U.S.4,788,719).

- In regard to claims 23, 36, 40, 54, 59 and 67, **Janning** discloses *a method for reducing the size of a call record (call detail record CDR) in response to the call transitioning from an establishment phase to an active phase* (See Abstract and details in Figs. 2-3; Col. 4, Lines 23-30. It is obvious that the CDR is produced on the transition from the establishment to the active phase and the CDR's size is reduced by selecting the optimal data structure without storing the unused or empty fields). **Janning** fails to disclose *expanding the size of the call record in response to the call transitioning from the active phase to the release phase*. However, such implementation is known in the art.

For example, **Gupta** discloses *expanding the size of the call record in response to the call transitioning from the active phase to the release phase* (For example see Col. 5, Lines 41-45; wherein the CDR is updated, i.e. "expand", by inserting the ending time in the CDR as disclosed in Col. 4, Lines 22-25).

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to combine *expanding the size of the call record in response to the call transitioning from the active phase to the release phase* as taught by **Gupta** in **Janning's** system with the motivation being to optimize and improve the ability to establish conference calls in the communications system.

- Regarding claims 24-26, 30, 33, 41-43, 47 and 50, **Janning** further discloses *method for reducing comprises discarding timer, retry counter and pointer information from the call record* (For example see details in Table 1). It is obvious that discarding the unused fields for types of information not collected for the particular call for storing the CDRs is engineering system

Art Unit: 2661

design choices. **Janning** fails to disclose *the pointer to a mini-call record*. However, such implementation is known in the art.

For example, **Gupta** discloses *the pointer to a mini-call record* (For example see Col. 4, Lines 8-17; Col. 5, Lines 33-35; wherein the first call record points to the second call record to transfer call).

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to combine *the pointer to a mini-call record* as taught by **Gupta** in **Janning**'s system with the motivation being to optimize and improve the ability to establish conference calls in the communications system.

- In regard to claims 27-28, 37-38, 44-45 and 60-61, **Janning** further discloses *call is a point-to-point call* (See Figs. 1A-B). **Janning** fails to disclose *call is a point-to-multi-point call*. However, such implementation is known in the art.

For example, **Gupta** discloses that *call is a point-to-multi-point call* (For example see Fig. 1; Col. 4, Lines 44-49).

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to combine *the point-to-multi-point call* as taught by **Gupta** in **Janning**'s system with the motivation being to optimize and improve the ability to establish conference calls in the communications system.

Art Unit: 2661

- Regarding claims 29, 32, 46, 49, 62 and 64, **Janning** further fails to disclose *expanding the call record during active phase includes information used to add or drop a party to the call*.

However, such implementation is known in the art.

For example, **Gupta** discloses that *expanding the call record during active phase includes information used to add or drop a party to the call* (For example see Col. 4, Lines 44-50; where the CNFC fields is filled, i.e. “expanding the CDR” when establishing the conference call as disclosed in Col. 5, Lines 28-30 or where the TFR fields is filled as disclosed in Col. 5, Lines 30-33, when transferring call to another station as disclosed in Col. 4, Lines 57-63).

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to combine *expanding the call record during active phase includes information used to add or drop a party to the call* as taught by **Gupta** in **Janning**’s system with the motivation being to optimize and improve the ability to establish conference calls in the communications system.

- In regard to claims 31, 34, 48, 51, 63 and 65, **Janning** does discloses *the method for reducing storage, i.e. “call record”, and processing requirements* by selectively formatting call details information, but fails to disclose *the method of adding or dropping party to the call during active phase in response to reducing method*. However, such implementation is known in the art.

For example, **Gupta** discloses *the method of adding or dropping party to the call during active phase* (For example see Col. 4, Lines 44-63).

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to combine *the method of adding or dropping party to the call during active phase* as taught by **Gupta** in **Janning's** system with the motivation being to optimize and improve the ability to add or drop party in the conference call system.

- Regarding claims 35, 39, 52, 56, 58 and 66, the combination of **Janning** and **Gupta** does not specifically teach *wherein call is transported through an ATM network*. However, *ATM network* is well known in the art for using to transport call in the communication system and **Janning** discloses that any other types of telecommunication networks are suitable for use as disclosed in Col. 3, Lines 13-18.

Therefore, it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to use *the ATM network for transporting call* in **Janning's** system.

- In regard to claim 53, **Janning** discloses *an apparatus comprises a switch device* (IXC switch 16 in Figs. 1A-B) *and a switched virtual circuit controller* (call condense and formatter agent of the IXC switch in Figs. 1A-B wherein the switch is equally suitable for use with other types of telecommunication networks or other environments as disclosed in Col. 3, Lines 3-18) *that manages memory space where call records are stored for calls flowed through the switch* (storage facility) *by reducing the size of a call record in response to a call transitioning from an establishment phase to an active phase* (CDR; See Abstract and details in Figs. 2-3; Col. 4, Lines 23-30. It is obvious that the CDR is produced on the transition from the initial to the connecting

Art Unit: 2661

phase and the CDR's size is reduced by selecting the optimal data structure without storing the unused or empty fields in the storage facility).

- Regarding claim 55, **Janning** further fails to disclose *a message processing system receives messages from the switch capable of being interpreted from transitioning*. However, such implementation is known in the art.

For example, **Gupta** discloses *a message processing system* (system control 100 in Fig. 1) *receives messages from the switch capable of being interpreted from transitioning* (For example see Col. 54, Lines 28-40; where the CNFC field is filled for a conference call, the TFR field is filled for a transferring call, the XUID field is filled for an extension call).

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to combine *a message processing system receives messages from the switch capable of being interpreted from transitioning* as taught by **Gupta** in **Janning's** system with the motivation being to optimize and improve the ability to add, drop or transfer party in the conference call system.

5. Claim 57 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Janning** (U.S.6,052,448) in view of **Gupta** (U.S.4,788,719), further in view of **Scherer** (U.S.5,867,562).

- In regard to claim 57, the combination of **Janning** and **Gupta** does not specifically teach *the standby controller that assumes operation of the controller if the controller fails*. However, such implementation is known in the art.

Art Unit: 2661

For example, **Scherer** discloses *the standby controller that assumes operation of the controller if the controller fails* (For example see Col. 36, Lines 17-25).

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to combine *the standby controller that assumes operation of the controller if the controller fails* as taught by **Scherer** in the combination of **Janning** and **Gupta**'s system with the motivation being to improve the reliability for the system, i.e. switch, in the telecommunication networks.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Galand et al. (U.S.6,317,433), **Nolting et al.** (U.S.6,385,301) and **Nolting** (U.S.6,282,267) are all cited to show devices and methods for improving management communication architectures based on call record which are considered pertinent to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri H. Phan whose telephone number is (703)305-7444. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W. Olms can be reached on (703)305-4703.

Any response to this action should be mailed to:

Art Unit: 2661

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703)872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703)305-3900.



Tri H. Phan
October 24, 2002



DANG TON
PRINCIPAL EXAMINER